

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-368-S - ORDER NO. 2004-227

APRIL 27, 2004

IN RE: Application of Madera Utilities, Inc. for) ORDER GRANTING)
 Approval of an Increase in its Sewer Rates and) PETITION TO ✓ B)
 Charges.) INTERVENE OUT OF
) TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition to Intervene Out of Time ("Petition") in the above-captioned proceeding from Denise and Kevin Dull (the "Dulls"). The present proceeding before the Commission was established upon the filing of an Application by Madera Utilities, Inc. ("Madera") for approval of an increase of its rates and charges for sewer service.

The Commission's Executive Director instructed Madera to publish a prepared Notice of Filing and Hearing regarding its Application in newspapers of general circulation in the areas affected by Madera's Application. Additionally, Madera was instructed to mail the prepared Notice of Filing and Hearing to each affected customer. The purpose of the Notice of Filing and Hearing was to inform interested parties of the Application of Madera and of the manner and time in which to file the appropriate pleadings for participation in the proceeding. Madera complied with these instructions and provided the Commission with proof of publication and Certification of Mailing of the Notice of Filing and Hearing. Additionally, the Notice provided the date and time for

which a hearing on this matter had been scheduled. In the present case, pleadings for participation in this docket were to be filed on or before March 19, 2004.

On April 16, 2004, which was after the return date established by the Notice, the Dulls filed a Petition to Intervene Out of Time by which the Dulls sought to intervene in the proceeding with full rights to participate as a party of record. The Dulls assert in their Petition that due to health problems of a family member and business operations, they were unable to timely file a petition to intervene in this proceeding. According to the Dulls, they are customers of Madera.

Upon consideration of this matter, the Commission finds and concludes that the Petition of the Dulls to intervene out of time should be granted. The Commission discerns no prejudice to any party by granting the Petition to Intervene Out of Time.

IT IS THEREFORE ORDERED THAT:

1. The Petition to Intervene Out of Time of Denise and Kevin Dull is granted.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Bruce F. Duke, Executive Director
(SEAL)